

Message Text

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43

ACTION EB-07

INFO OCT-01 EUR-12 IO-11 ISO-00 AGR-05 CEA-01 CIAE-00

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NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01

XMB-02 OPIC-03 /108 W

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P R 271635Z FEB 76

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 8409

INFO AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY OTTAWA

AMEMBASSY PARIS

USMISSION EC BRUSSELS UNN

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EO 11652: N/A

TAGS: GATT, ETRD

SUBJECT: GATT PANELS ON DISC AND RELATED TAX PRACTICES

REF: GENEVA 1260

1. CANADA MISSION (STONE), UPON INSTRUCTIONS FROM OTTAWA, ASKED US WHETHER WE WOULD BE AMENABLE TO PROCEDURE IN SUBJECT PANELS WHEREBY CANADA COULD HEAR THE EVIDENCE PRESENTED BY THE OTHER DISPUTANTS BEFORE PRESENTING CANADIAN CASE. WE SAID WE HAD NO IDEA WHAT WASHINGTON'S VIEW WOULD BE AND WOULD SEEK SAME. HOWEVER, WE SAID WE SUSPECTED THE PANEL MEMBERS MIGHT WISH DECIDE UPON SUCH THINGS THEMSELVES.

2. WE TOOK OPPORTUNITY TO SUGGEST THAT PRESUMABLY CANADA WOULD WANT TO PRESENT CASE ON ALL OF THE TAX PRACTICES CONSIDERED

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BY THE PANELS AND NOT JUST LIMIT SELVES TO DISC

(SEE ALSO REFTEL). STONE SAID HE SUPPOSED SO. WE DREW PARALLEL WITH CONDUCT OF US DISCUSSION OF UK EXPORT INFLATION INSURANCE SCHEME IN GATT COUNCIL, WHEREBY US MADE EFFORT NOT SINGLE OUT UK SCHEME WHICH WAS ADOPTED IN SELF-DEFENSE BY UK AFTER FRENCH AND OTHER EXPORT COMPETITORS HAD HAD OWN SCHEMES IN EFFECT FOR YEARS. WE SAID DISC SITUATION WAS NOT DISSIMILAR, DISC LEGISLATION WAS INTENDED TO PLACE US EXPORTING FIRMS ON MORE EQUAL FOOTING WITH FRENCH, DUTCH, BELGIAN, OTHER COUNTRIES' FIRMS ALREADY HAVING TAX ARRANGEMENTS OF SIMILAR IMPACT. STONE PROMISED PASS SUGGESTION TO OTTAWA.

3. IF WASHINGTON BELIEVES THIS IS A PROFITABLE AVENUE TO PURSUE, IT MIGHT BE USEFUL TO GET INTO CANADIAN HANDS SOME ADVANCE MATERIAL ON OUR OWN CASES AGAINST THE TAX PRACTICES OF FRANCE, BELGIUM, NETHERLANDS. WE AWARE THAT SEVERAL YEARS AGO CANADIAN MOOD WOULD NOT HAVE LED THEM TO DO ANYTHING SO COOPERATIVE. ASSUME ADVISABILITY OF FURTHER ENCOURAGING THEM NOW WILL BE GOVERNED BY WASHINGTON'S AND EMBASSY OTTAWA'S ASSESSMENT OF HOW PASSIONATELY THE FIRES OF DISC STILL BURN IN CANADIAN HEARTS. DALE

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